

United States Department of Justice
Office of the United States Trustee
1100 Commerce Street, Room 976
Dallas, TX 75242
(214) 767-1075

Erin Marie Schmidt,
for the United States Trustee

IN RE:

James Varga,

CASE NO: 21-41656-ELM-7

Defendant

**William T. Neary, United States
Trustee for Region 6,**

Plaintiff

Adv. Proc. No. 21-04083

V.

James Varga,

Defendant.

PLAINTIFF'S WITNESS AND EXHIBIT LIST

TO THE HONORABLE EDWARD LEE MORRIS, U.S. BANKRUPTCY JUDGE:

William T. Neary, the United States Trustee for Region 6 (“United States Trustee”) files his witness and exhibit list in connection with his *Complaint Objecting to Discharge*.

Witnesses

1. James Varga
2. Any other witnesses called by Defendant.

Exhibits

UST Trial Exhibit	Description	Admitted
UST-1	Bankruptcy Petition filed July 13, 2021 [21-41656-elm-7, docket no. 1]	
UST-2	Motion to Extend Time to File Schedules filed July 27, 2021 [docket no. 11 ¹]	
UST-3	<i>Order Granting Motion to Extend Time to File Schedules, Statement of Current Income, Statement of Financial Affairs, Employee Income Records and Other Required Documents</i> entered July 28, 2021 [docket no. 12]	
UST-4	Official Form 106Dec Declaration About an Individual Debtor's Schedules filed August 4, 2021 [docket no. 15]	
UST-5	Official Form 122A-1 Chapter 7 Statement of Your Current Monthly Income filed August 4, 2021 [docket no. 16]	
UST-6	Schedules A/B through J filed August 4, 2021 [docket no. 17]	
UST-7	Statement of Financial Affairs filed August 4, 2021 [docket no. 18]	
UST-8	Statement of Intention for Individuals Filing under Chapter 7 filed August 4, 2021 [docket no. 19]	
UST-9	Summary of Your Assets and Liabilities and Certain Statistical Information filed August 4, 2021 [docket no. 20]	
UST-10	<i>Agreed Motion for a Rule 2004 Examination of James Varga</i> filed September 24, 2021 [docket no. 26]	
UST-11	<i>Agreed Order on motion for a Rule 2004 Examination of James Varga</i> entered September 27, 2021 [docket no. 27]	
UST-12	November 5, 2021, Rule 2004 Examination Transcript ²	
UST-13	First Amended Statement of Financial Affairs filed November 2, 2021 [docket no. 29]	
UST-14	First Amended Statement of Intention for Individuals Filing Under Chapter 7 filed November 2, 2021 [docket no. 30]	
UST-15	<i>Complaint to Determine Dischargeability of Debt</i> filed November 22, 2021 in <i>Frosto v. Varga (In re Varga)</i> , A/P [docket no. 35 ³]	
UST-16	<i>Order Granting Motion for Extension of Time to Object to Discharge</i> entered November 24, 2021 [docket no. 36]	
UST-17	September 21, 2021, § 341 meeting of creditors recording (business records affidavit and transcript to be provided)	
UST-18	October 11, 2021, § 341 meeting of creditors recording (business records affidavit and transcript to be provided)	

¹ Unless otherwise noted, all docket number entries refer to ECF entries in case no. 21-41656-elm-7.

² Rule 2004 exam exhibits are not attached to the transcript here but instead are separately designated on this list. Any Rule 2004 exhibit numbers shall be cross-referenced on this list.

³ Docketed at no. 35 in case no. 21-41656.

UST Trial Exhibit	Description	Admitted
UST-19	November 17, 2021, § 341 meeting of creditors recording (business records affidavit and transcript to be provided)	
UST-20	United State Trustee's <i>Complaint Objecting to Discharge</i> filed December 21, 2021 [AP 21-4083, docket no. 1]	
UST-21	<i>Defendant's General Denial</i> filed January 19, 2022 [AP 21-4083, docket no. 5]	
UST-22	<i>Defendant's Amended Answer</i> filed January 19, 2023 [AP 21-4083, docket no. 15]	
UST-23	Rule 2004 Exhibit 8 – 2020 Varga Individual Tax Return	
UST-24	Rule 2004 Exhibit 15 – PWB, LLC P&L Statement January 2017 through March 2021	
UST-25	Rule 2004 Exhibit 16 - PWB Property Group P&L Statement January 2021 through December 20, 2020	
UST-26	Rule 2004 Exhibit 18- PWB, LLC Executive Summary	
UST-27	Rule 2004 Exhibit 19 - PWB – What does it mean to be a joint partner?	
UST-28	Rule 2004 Exhibit 21- December 9, 2019 “Investor Update”	
UST-29	Rule 2004 Exhibit 22 - February 1, 2020 PWB Companies GAP Loan Request	
UST-30	Rule 2004 Exhibit 31 - Varga Personal Prosperity Bank 7373	
UST-31	Rule 2004 Exhibit 32 - Varga Personal Prosperity Bank 8633	
UST-32	Rule 2004 Exhibit 33 - UST-33 PWB Prosperity 1556	
UST-33	Rule 2004 Exhibit 64 - PWB Lend #0564 May 2020	
UST-34	Rule 2004 Exhibit 84 - WHRH ESCROW #1831 May 2020	
UST-35	Rule 2004 Exhibit 87 - Adams Law Email to Megan 03-15-2021	
UST-36	2019 Varga Individual Tax Return	
UST-37	2018 Varga Individual Tax Return	
UST-38	2019 Partners W/ Benefits, LLC Tax Return	
UST-39	Certificate of Formation for Sparkit! Sales & Marketing, LLC	
UST-40	PWB, LLC Balance Sheet	
UST-41	Varga Unemployment Benefits	
UST-42	Varga Personal Prosperity Bank 5014	
UST-43	PWB LLC Pay #1505 May 2020	
UST-44	PWB PG #1874 May 2020	
UST-45	PWB PG #1832 May 2020	
UST-46	PWB PG #1832 June 2020	
UST-47	PWB PG #1832 July 2020	
UST-48	PWB Lend #0564 June 2020	
UST-49	PWB Lend #0564 July 2020	
UST-50	PWB Lend #0564 August 2020	
UST-51	WELCOME HM #1661 May 2020	

UST Trial Exhibit	Description	Admitted
UST-52	WELCOME HM #1661 June 2020	
UST-53	WELCOME HM #1661 July 2020	
UST-54	WHRH ESCROW #1831 June 2020	
UST-55	WHRH ESCROW #1831 July 2020	
	Any impeachment or rebuttal exhibits or any exhibits designated by any other party.	
	Any additional pleadings, reports, or other documents filed in the above-referenced bankruptcy cases.	

The United States Trustee reserves the right to amend or supplement this witness and exhibit list at any time before the hearing.

DATED: January 25, 2023

Respectfully submitted,

WILLIAM T. NEARY
UNITED STATES TRUSTEE

/s/ Erin Marie Schmidt
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CERTIFICATE OF SERVICE

I certify that on January 25, 2023, I served a copy of this document with exhibits UST-12 and UST-23 through UST-55 via email to Defendant's counsel Clay Taylor at clayton@norredlaw.com.

/s/ Erin Marie Schmidt
Erin Marie Schmidt